Attorney Docket No.

## MERCHANT & GOULD P.C.

## United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to m name; that

name; that	,	•			•
I verily believe I am are named below) of the subje	the original, first and sole inventor ect matter which is claimed and for	(if only one name is li which a patent is soug	sted below) or a jo ht on the invention	pint inventor (if plural inventon entitled:	rs
The specification of which a is attached hereto b was filed on PCT-filed application) describ (if any), which I have reviewe	as application serial no. bed and claimed in international no d and for which I solicit a United S	and was amend D. PCT/SG98/00003 fi States patent	led on lcd 16 JAN 1998	(if applicable) (in the case o and as amended on	fа
any amendment referred to ab  I acknowledge the duty to disc	lose information which is materia				
certificate listed below and ha	benefits under Title 35, United St ve also identified below any foreig pasis of which priority is claimed: we been filed.	rates Code, § 119/365 o n application for paten	f any foreign appl t or inventor's cert	ication(s) for patent or invent ificate having a filing date be	or's for
	FOREIGN APPLICATION(S). IF ANY,	CLAIMING PRIORITY I	INDED 35 USC 5 110	<u> </u>	=
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	D	ATE OF ISSUE lay, month, year)	
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COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month. year)	D	ATE OF ISSUE	
below and, insofar as the subje manner provided by the first p	er Title 35, United States Code, § 1 ect matter of each of the claims of aragraph of Title 35, United States ederal Regulations, § 1.56(a) which e of this application.	this application is not d Code, § 112, I acknow	isclosed in the pri- dedge the duty to	or United States application in disclose material information	n th as
U.S. APPLICATION NUM	BER DATE OF FILING	C (day, month, year)	STATUS (pa	ntented, pending, abandoned)	
I hereby claim the benefit und	er Title 35, United States Code § 1	19(e) of any United Sta	ates provisional ap	plication(s) listed below:	1
U.S. PROVISIONA	AL APPLICATION NUMBER		OATE OF FILING (D	Pay. Month, Yeur)	
				<del></del>	7)

Hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organizatio who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.

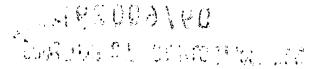
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statemen may jeopardize the validity of the application or any patent issued thereon.

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## § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of cand and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a clai
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion o patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who i associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.